

VIA FACSIMILE: 703-872-9327
Attorney Docket No. 5603.02

Response to 35 U.S.C. § 103 Rejections

Claims 1-16 are rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Pat. No. 5,480,196 ('196) to Adams, Jr. in view of U.S. Pat. No. 4,752,208 ('208) to Iwata et al. In support of the rejection, it is stated in the OA that "Adams, Jr. discloses a pipe connection joint structure comprising opposing bell-formed ends (66, 68)" and "Iwata et al. teaches the use of corrugated pipe."

By this Amendment, claims 10-16 have been canceled, without prejudice, so that the remaining pending claims can be passed to allowance. Accordingly, the rejections under § 103 for claims 10-16 are now moot. Applicants reserve the right to respond to the Examiner's rejections as to the canceled claims in a continuation application where the claims are resubmitted.

Claim 1 has been amended herein to further define the structure of the "bell-formed ends." It is respectfully submitted that neither the '196 patent nor the '208 patent, alone or in combination, teach or suggest a corrugated pipe connection joint involving corrugated piping with "bell formed ends" as required by claim 1 of the subject application. To establish a prima facie case of obviousness, the prior art references when combined must teach or suggest all the claim limitations. See MPEP § 706.02(j). As opposed to machining an annular groove in the inside of two ductile iron pipes to be joined together as described in the '196 patent, independent claim 1 of the present invention recites the structure of "bell-formed ends" as being defined by a smooth transition from an inner diameter to a larger second diameter in two sections of corrugated pipe. Claim 1 of the subject application also recites that corrugated pipe includes an inner wall and an outer wall. Additionally, claim 1 of the subject application recites that the second larger inner diameter of the bell-formed end is less than the outer diameter of the outer wall.

For at least these reasons, it is believed that claim 1 is patentable over the '196 patent and the '208 patent, alone or in combination, under 35 U.S.C. § 103(a) and is therefore allowable, and such indication is respectfully requested. Claims 2, 3, 4, 5, 6, 7, 8, and 9 depend from and

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include all of the limitations of claim 1. Accordingly, combining the '196 and '208 patents does not teach or suggest all the claim limitations of claims 2-9 of the subject application for at least the same reasons as claim 1.

CONCLUSION

For at least the reasons discussed herein, claims 1-9 are believed to be in form for allowance, and such indication is earnestly requested. Claims 17-19 were allowed in the last Office Action. If there are any questions regarding the above, please contact the undersigned.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

This Amendment is being filed on December 11, 2002, which is within the three month shortened statutory period. If any petitions or fees are required, please consider this a petition therefore and charge Deposit Account No. 04-1415 the required additional amount. If the Examiner finds any issue that may be resolved in a telephone conference, please do not hesitate to contact the undersigned.

Signed at Denver, Colorado, this 11th day of December, 2002.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

1. (Twice Amended) A corrugated pipe connection joint structure [for joining two sections of corrugated pipe] comprising:

at least a first section of corrugated pipe having a length and at least one bell-formed end, said length having an inner wall and an outer wall, said inner wall defining a first inner diameter and said outer wall defining an outer diameter;

said [opposing] at least one bell-formed end[s] of said at least first section of corrugated pipe defined by a sloped transition from said first inner diameter of said length to a second inner diameter, and wherein said second inner diameter being greater than said first inner diameter and less than said outer diameter;

at least a second section of corrugated pipe having a length and at least one bell-formed end, said length having an inner wall and an outer wall, said inner wall defining a first inner diameter and said outer wall defining an outer diameter;

said at least one bell-formed end of said at least second section of corrugated pipe defined by a sloped transition from said first inner diameter of said length to a second inner diameter, and wherein said second inner diameter being greater than said first inner diameter and less than said outer diameter;

a connector insert defining opposing ends and a push-ring;

at least one gasket positioned on at least one of said opposing ends of said connector insert; and

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wherein said [opposing ends of] bell-formed ends of said at least first and at least second sections are positioned adjacent to one another and said connector insert [are] is positioned in said bell-formed ends[, with said at least one gasket forming a seal therebetween].

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